

D.B. Civil Writ (Habeas Corpus) Petition No.144/2005

Date of Order : 02/02/2005

HON'BLE MR.JUSTICE N.N. MATHUR
HON'BLE MR. JUSTICE MANAK LALL MOHTA

Mr. Sudhir Saruparia, for the petitioner.
Mr. K.L. Thakur, AAG for the State.
Mr. Sandeep Mehta, for the detenue.

The instant habeas corpus petition has been filed by one Devendra Kumar for the production of the corpus of Neelam @ Virendra Kumar. A missing FIR was registered at Police Station, Kotwali, Bhilwara being FIR Case No.751/2004 for offence under Section 365 and 342 IPC at the instance of the petitioner Devendra Kumar. A counter has been filed supported by the affidavit of Gopal Singh S/o Nahar Singh Dy.S.P. City, Bhilwara.

It appears from the reply that there has been some dispute in the family. Virendra Kumar was not abducted as alleged. In fact he was doing his business at Kowelpatti in the State of Tamilnadu. A counter affidavit has also been filed by Virendra Kumar, the alleged detenue. It is alleged that his brother Devendra Kumar is trying to grab his property in Bhilwara, as such malafidely has filed instant habeas corpus petition. He has given further details with

reference to stay at Kowelpatti.

The police has also recorded the statement under Section 161 Cr.P.C. We have read the same.

Since, the corpus has been produced, it is not necessary for us to go in further detail. Therefore, the habeas corpus petition stand disposed of. It will be open for the Police to proceed in accordance with law in FIR Case No.751/2004, Police Station, Bhilwara.

(Manak Lall Mohta), J.

(N.N. Mathur) J.

Pd.